

Senate File 2095 - Reprinted

SENATE FILE 2095
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2027)

(As Amended and Passed by the Senate February 15, 2010)

A BILL FOR

1 An Act relating to the authority of a certified law enforcement
2 officer.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 9E.6A, subsection 1, Code 2009, is
2 amended to read as follows:

3 1. Each person performing a notarial act pursuant to section
4 9E.10 must acquire and use a stamp or seal as provided in this
5 chapter. ~~However, this section shall not apply to a notarial~~
6 ~~act performed by a judicial officer as defined in section~~
7 ~~602.1101, if the notarial act is performed in accordance with~~
8 ~~state or federal statutory authority, and shall not apply to a~~
9 ~~certification by a chief officer or a chief officer's designee~~
10 ~~of a peace officer's verification of a uniform citation and~~
11 ~~complaint pursuant to section 805.6, subsection 5.~~

12 Sec. 2. Section 9E.6A, Code 2009, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 3. This section shall not apply to any of
15 the following:

16 a. A notarial act performed by a judicial officer as
17 defined in section 602.1101, if the notarial act is performed
18 in accordance with state or federal statutory authority.

19 b. A certification by a chief officer or a chief officer's
20 designee of a peace officer's verification of a uniform
21 citation and complaint pursuant to section 805.6, subsection 5.

22 c. The administration of oaths and the acknowledgment
23 of signatures by a peace officer pursuant to section 80.9A,
24 subsection 3, or by a certified law enforcement officer
25 pursuant to section 817.3.

26 Sec. 3. NEW SECTION. 817.3 **Certified law enforcement**
27 **officers — oaths, signatures, and testimony.**

28 A law enforcement officer, as defined in section 80B.3,
29 who is certified by the Iowa law enforcement academy, may
30 administer oaths, acknowledge signatures, and take voluntary
31 testimony pursuant to the officer's duties as provided by law.